



05- 03-04

1644

102.174

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: : M. Dibrino  
LE GAL et al :  
Serial No.: 09/673,166 : Group: 1644  
Filed: October 6, 2000 :  
For: LIPOPEPTIDE...VACCINATION :

475 Park Avenue South  
New York, N.Y. 10016  
April 30, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE** Express Mail® mailing label No. 21968197362US  
Date of Deposit April 30, 2004

I hereby certify that this paper or fee is  
being deposited with the United States Postal  
Service for delivery to Addressee"  
service to be indicated  
above and to the Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450

J. Holmberg

Sir:

Responsive to the office action of April 21, 2004, reconsideration of this  
application is requested in view of the remarks presented herein.

The claims in the application are claims 23 to 42, all other claims having been  
cancelled.

The office action indicated that the response of January 6, 2004 was not fully  
responsive since Applicants elected the HIV NEF 68-82 multi-epitope peptide but the  
Examiner was of the opinion that no such peptide was disclosed consisting of amino acid  
residue 68-82 and required Applicants to elect a single disclosed peptide with a specific  
ID number.

Applicants respectfully believe that the Examiner has misinterpreted the invention. Applicants elected the multi-epitope peptide HIV NEF 68-82 as the CTL epitope. Such a lipopeptide is named TT-NEF at the bottom of Table 8 of the specification and has the following amino acid sequence FPVTP QBPLRPMTYK and this can easily be seen from the various peptides derived from the NEF protein including 68-76 and 73-82 peptides. Moreover, the elected lipopeptide consists of the lipopeptide of SEQ ID No: 276 of the sequence listing as disclosed on page 66 of the sequence listing. Therefore, it is believed that Applicants were clearly responsive to the office action of November 7, 2003.

Applicants look forward to obtaining the next office action

Respectfully submitted,  
Muserlian, Lucas and Mercanti



---

Charles A. Muserlian, 19,683  
Attorney for Applicants  
Tel. # (212) 661-8000

CAM:ds  
Enclosure